

1-1 By: Dutton (Senate Sponsor - Ellis) H.B. No. 438
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on
 1-4 Transportation; May 17, 2013, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 Paxton			X	
1-9 Campbell	X			
1-10 Davis	X			
1-11 Ellis	X			
1-12 Hancock	X			
1-13 Patrick	X			
1-14 Uresti	X			
1-15 Watson	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the courts authorized to issue an occupational driver's
 1-20 license.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 521.242(a), (b), and (e),
 1-23 Transportation Code, are amended to read as follows:

1-24 (a) A person whose license has been suspended for a cause
 1-25 other than a physical or mental disability or impairment or a
 1-26 conviction under Section 49.04, Penal Code, may apply for an
 1-27 occupational license by filing a verified petition with the clerk
 1-28 of a justice, ~~[the]~~ county, ~~[court]~~ or district court with
 1-29 jurisdiction that includes ~~[in]~~ the precinct or county in which:

- 1-30 (1) the person resides; or
- 1-31 (2) the offense occurred for which the license was
 1-32 suspended.

1-33 (b) A person may apply for an occupational license by filing
 1-34 a verified petition only with the clerk of the ~~[county court or~~
 1-35 ~~district]~~ court in which the person was convicted if:

- 1-36 (1) the person's license has been automatically
 1-37 suspended or canceled under this chapter for a conviction of an
 1-38 offense under the laws of this state; and
- 1-39 (2) the person has not been issued, in the 10 years
 1-40 preceding the date of the filing of the petition, more than one
 1-41 occupational license after a conviction under the laws of this
 1-42 state.

1-43 (e) The clerk of the court shall file the petition as in any
 1-44 other ~~[civil]~~ matter.

1-45 SECTION 2. The change in law made by this Act applies only
 1-46 to an occupational driver's license that is applied for on or after
 1-47 the effective date of this Act. An occupational driver's license
 1-48 applied for before the effective date of this Act is covered by the
 1-49 law in effect on the date the application was filed, and the former
 1-50 law is continued in effect for that purpose.

1-51 SECTION 3. This Act takes effect September 1, 2013.

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